

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SIPCO, LLC,)	
)	Civil Action File
Plaintiff,)	
)	
vs.)	No. 6:11-cv-00048
)	
ABB INC., COULOMB TECHNOLOGIES,)	
INC., ENERGYHUB, INC., JETLUN)	
CORPORATION, INGERSOLL RAND)	
COMPANY, INGERSOLL-RAND SCHLAGE)	
LOCK HOLDING COMPANY LLC,)	
SCHLAGE LOCK COMPANY, TRANE, INC.,)	
and SMARTLABS, INC.)	
)	
Defendants.)	

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Plaintiff SIPCO, LLC (“SIPCO”) and Defendants COULOMB TECHNOLOGIES, INC. (“Coulomb”), JETLUN CORPORATION (“Jetlun”), INGERSOLL RAND COMPANY, INGERSOLL-RAND SCHLAGE LOCK HOLDING COMPANY LLC, SCHLAGE LOCK COMPANY, TRANE, INC. (together “Schlage/Trane”), and SMARTLABS, INC (“Smartlabs”) (collectively, “Defendants”), hereby file this Joint Claim Construction and Prehearing Statement under Local Patent Rule 4-3 and in accordance with the Court’s Scheduling Order.

(a) Proposed Constructions

The parties have held multiple meet-and-confer conferences, and have attempted to narrow the list of claim terms for which the construction is in dispute.

Appendix A is a chart that includes Plaintiff SIPCO’s proposed constructions for the claim terms on which the parties are in dispute, both as to whether construction is necessary and,

if so, the construction that should apply, along with the identification of exemplary intrinsic and extrinsic evidence supporting the proposed constructions

Appendix B is a chart that includes Coulomb's proposed constructions and identification of intrinsic and extrinsic evidence.

Appendix C is a chart that includes Schlage/Trane's proposed constructions and identification of intrinsic and extrinsic evidence.

Appendix D is a chart that includes Smartlabs' proposed constructions and identification of intrinsic and extrinsic evidence.

Defendant Jetlun is in agreement with Defendants' positions on claim constructions.

(b) Anticipated Length of the Claim Construction Hearing

SIPCO believes there are only a limited number of claim terms that require construction and therefore believes that the Claim Construction Hearing will require a total of no more than three (3) hours. SIPCO further states that the time permitted by the Court should be divided equally between the sides, with half of the time allotted for Plaintiff's constructions, and half of the time allotted for Defendants' constructions.

Defendants Coulomb and Smartlabs state that the Claim Construction Hearing will require a total of no more than four (4) hours, with the time allotted equally among the parties.

Defendant Schlage/Trane states that the Claim Construction Hearing will require a total of no more than five (5) hours, with the time allotted equally among the parties.

(c) Other Issues at the Hearing

The parties agree that there are no issues at this time other than claim construction that may be appropriately taken up at a prehearing conference prior to the Claim Construction Hearing.

Respectfully submitted, this 18th day of January, 2012

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CERTIFICATE OF SERVICE

On this date a copy of the foregoing is being filed electronically and thus served upon all counsel of record pursuant to Local Rule CV-5.

This 18th day of January, 2012.

/s/ Jessica M. Kattula
Jessica M. Kattula